YOUR LIFE
YOUR CARE
YOUR PEOPLE




Common-Law Employer (CLE) Resource Guide

Pennsylvania Office of Developmental Programs

Public Partnerships LLC (PPL)
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Alpharetta, GA 30009

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Welcome

Welcome to self-direction! We are so glad you have chosen Public Partnerships (PPL) as your vendor fiscal/employment agency (VF/EA)!

Self-directed services, which we firmly believe in, offer you more control and choice over the services you receive, when they are provided, and who provides them. By self-directing your services, you can live the life you want to live.

The purpose of this handbook is to empower you, as a common law employer (CLE), and your support services professional (SSP). By helping you understand your vital roles and responsibilities in the program, PPL policies and processes, and state and federal rules and regulations for being an employer, we aim to instill in you a sense of confidence and capability.

This guide is meant to be a resource for you. If it does not answer your questions, please call us 1-800-249-0861 for additional assistance. We are here to support you every step of the way!

What are self-directed services?

Self-directed services, which began in the 1970s, are founded on the belief that the person needing support and services knows their needs better than anyone else. This approach respects the rights of people with disabilities and the elderly to live the life they want. By offering choice, control, and independence, self-directed services honor the participant (person receiving services) to make decisions that best suit their needs.

Using Self Directed Services, the participant:

- Is the employer or selects someone to be the employer (CLE)?
- Recruits, interviews, and hires Support Service Professionals (SSPs).
- Trains the SSP to their care needs.
- Schedules the SSP.
- Decides what approved tasks the SSP will do and when the participant wants them done.
- Manages the SSP when working.
- Terminates the SSP if they are not doing a good job.
- Decides what goods and services are needed.
- Decides transportation needs.

Involved Parties

There is much support for the participant self-directing their services. The available supports are:

Pennsylvania Office of Developmental Programs (ODP) - designs and oversees services for individuals with Intellectual Disabilities.

Administrative Entity (AE) - has an agreement or contract with the Office of Developmental Programs (ODP). They perform administrative functions assigned to them by ODP.
Support Coordinator (SC) – **-** Responsible for assessing the needs of, referring to, developing the ISP, and monitoring supports and services for the participant.
Support Broker (SB) – you can choose an SB to assist you with employer related tasks like hiring an SSP, scheduling, training, etc. The SB is paid from your budget. The SB cannot be an SSP.

Common Law Employer (CLE) – The participant can be the CLE or select a CLE who will be responsible for managing services according to the participant's Individual Service Plan. They are the legal employer of record. The CLE:

- Recruits and hires qualified SSPs;
- Trains SSPs to the participant's needs and preferences;
- Determines SSPs schedules;

- Follows Department of Labor regulations (in this guidebook)
- Decides the tasks the SSP will complete;
- Gives feedback to the SSPs about their work;
- Terminates an SSP's employment when necessary; and
- Completes any responsibilities established by ODP bulletins.
- Ensuring SSPs are providing support according to the Individual Support Plan (ISP)
-

Support Service Professional (SSP) - Hired by the CLE to support the participant with employer tasks.

Financial Management Service (FMS) - has an agreement with ODP to provide administrative services to support the employer within the VF/EA model. These include enrollment, orientation to systems, payroll, and more.

What services can I self-direct?

You can self-direct several Consolidated, Community Living, and P/FDS Waiver services. These services may change if the waivers and corresponding service definitions are amended.

To receive these services, they must be authorized in your ISP. These services are subject to any existing service and provider limitations identified in the approved waivers and corresponding service definitions. Waiver services that can be participant-directed currently include:

- Assistive technology
- Companion
- Homemaker/ Chore
- In-home and community supports
- Participant Directed Goods and Services
- Respite
- Supported employment
- Supports Broker services
- Educational support services
- Specialized supplies
- Home accessibility adaptations
- Fees and registration costs, family/caregiver training, and support
- Transportation (Mile) and Public Transportation

VERY IMPORTANT – REMEMBER THAT THE CLE IS THE EMPLOYER OF THE SSP, NOT PPL.

The Enrollment Process

When a Support Coordinator or Administrative Entity completes a referral, a PPL Enrollment Specialist will reach out with a Welcome Call. The purpose of the Welcome Call is to walk the CLE through enrollment paperwork for the participant/CLE and the SSP and discuss the next steps in the enrollment process.

Once the enrollment paperwork is complete, the Enrollment Specialist will schedule an Orientation Call. During the orientation call, the Enrollment Specialist will share more information on self-direction roles and responsibilities, PPL processes, contact information and other important information. The employer will be provided with the orientation materials used during the enrollment call.

An orientation deck will be sent with this manual, so you have resources to refer to as you start your self-directed journey.

CLE Responsibilities

The employer of record (CLE) is responsible for following all State and Federal employment laws, rules, and regulations. These include:

SSP Rights

All SSPs have fundamental rights in the workplace. These include the right to privacy, fair compensation, and freedom from discrimination. A job applicant also has certain rights before being hired as an SSP. Those rights include the right to be free from discrimination based on age, gender, race, national origin, religion, or sexual orientation during the hiring process. For example, a prospective CLE cannot ask a job applicant if they are married during the hiring process. In most states, SSPs have a right to privacy in the workplace. For example, this right to privacy applies to the SSP's personal information and possessions, including handbags, backpacks, or briefcases.

Other important rights include:

- Right to be free from discrimination and harassment of all types;
- Right to a safe workplace free of dangerous conditions, toxic substances, and other potential safety hazards;
- Right to be free from retaliation for filing a claim or complaint against an employer (these are sometimes called 'whistleblower’ rights); and
- Right to fair wages for work performed.

Treating SSPs Consistently and Fairly

As an employer, it is essential to treat SSPs consistently and fairly. If an SSP believes you are favoring another SSP, also known as preferential treatment, it can cause resentment and low morale among SSPs. Unfair treatment of an SSP could result in a lawsuit. This is one reason the CLE needs to understand that treating SSPs fairly is essential in the workplace.

As an employer, you pay unemployment benefits and taxes for your SSP(s) to the state and federal government. This is called SUTA (State Unemployment Tax). An SSP can file an unemployment claim if they believe they lost their job unfairly. The SSP must submit paperwork to the Office of Unemployment (https://www.uc.pa.gov/). The Unemployment Office may contact the employer to answer questions or verify claim information. If the SSP’s claim is founded, the SSP will receive unemployment payments.

Because your SSP’s hourly wage cannot exceed the State reimbursement rate, the pay rate for SSP’s salaries may be reduced to allow for the higher unemployment (SUTA) rate. That is why it is important to be fair and consistent with all SSPs, even if they are family members.

Ways to treat SSPs consistently and fairly include:

- Spend time getting to know each SSP. Everyone is different, and you will learn each one's strengths.
- Establish clear policies for lateness, attendance, and other workplace issues. What is your response if someone is late to work more than once? Your response should be consistent with each SSP.
- Give your SSPs regular feedback about their work verbally and in writing. Feedback helps the SSP know they are doing what you want them to do and will help them improve. If you have given verbal feedback to an SSP about what you expect from them and the behavior continues, you may want to put the feedback in writing. If you need to dismiss them from employment, you have documentation to use if the SSP files for unemployment.
- Staff should be aware that the SSP pay rate and tasks assigned are based on experience, not because of favoritism.
- Express your appreciation for SSPs' work. This makes for happier SSPs! Compliment them on their performance frequently.
- Listen to an SSP’s concerns when they make you aware of possible favoritism among other SSPs and take the proper steps to correct the situation.

It is up to the CLE to set up a fair and consistent work environment.

Workplace Harassment - As an employer, you are responsible for keeping the workplace free of harassment. Harassment goes against the basic standards of conduct between individuals and is prohibited by Title VII of the Civil Rights Act of 1964, the Equal Opportunity Commission, and State regulations. The technical definitions are below:

> **Harassment** - Any verbal, physical, or visual conduct or action that belittles or shows hostility or dislike towards any individual because of race, color, religion, gender, national origin, age, disability, physical features, creed, marital status, sexual orientation or status with regard to public assistance and which has the purpose or effect of creating an intimidating, hostile or offensive workplace, interferes with an individual's work performance or otherwise negatively affects an individual's employment opportunities.
>
> **Sexual Harassment** - Unwelcome sexual advances, requests for sexual favors, and/or all other verbal, physical, or visual conduct of a sexual or otherwise objectionable nature where submission is made explicitly or implicitly a term or condition of obtaining or continuing employment, or is used as the basis for making employment decisions, or has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile or offensive work environment. Sexual Harassment includes third-party situations in which an individual is offended by the sexual interaction, conduct, or communication between others.

An SSP may at any time file a complaint if he or she believes harassment has occurred with the Pennsylvania Human Rights Commission or the United States Equal Employment Opportunity Commission. Retaliation or intimidation directed towards the SSP by the CLE once a complaint is made will not be tolerated and can result in penalties.

Workers Compensation Insurance

Workers Compensation is a benefit offered to the CLEs SSP(s). This means the SSP's medical costs are paid if the employee is injured on the job. The SSP may also be paid for time they cannot work if they are injured on the job. If an SSP is injured on the job, they MUST first report the injury or accident to the employer. It is important to report all injuries, even small ones, like a cut finger, when preparing a meal.

Worker Injury Reporting

1. The SSP should get medical help right away, if needed.
    - If the injury is serious and life-threatening, call 911.

- If the injury needs medical treatment (but is not life-threatening), the SSP should get to an urgent-care clinic or doctor's office. If the SSP cannot reach a clinic or a doctor's office, go to the emergency room.

2. The SSP must call 1-800-804-9382 to report the injury as soon as the injury happens, even if it does not seem serious.
3. Please make sure the SSP tells you about the injury or illness before they leave work.

Workplace Safety

The CLE and SSP are responsible for:

- Maintaining a safe and healthy work environment.
- Following all federal, state, and local health and safety laws and requirements.
- Orienting the SSP to workplace safety issues. The employer can use many public resources with their SSP to promote a safe working environment. Encouraging safety tips could help prevent injury to employers and SSPs.

Please refer to PPLFirst.com for safety resources.

Both the Participant/CLE and SSP should always follow correct practices and procedures to avoid injury, illness, and property damage. Appropriate.

Medicaid Fraud

Funds for the participant's services come from the state and federal government. Intentional abuse of Medicaid funds is against the law. If a participant/CLE, SSP or a service provider is suspected of Medicaid fraud, it must immediately be reported to the Pennsylvania Office of Inspector General and your Support Coordinator.

Examples of participant/CLE or SSP fraud and abuse of Medicaid funds are:

- Recording and billing for tasks or procedures and time worked when not done.
- Submitting more time than worked.
- Accepting pay for time that was not worked.
- Forging an SSP's, CLE's, or participant's signature on a timesheet or paperwork.
- Performing tasks not approved by the ISP and submitting them for payment.
- Suggesting or helping a participant get services or supplies not required for the person's disability.
- An SSP provides poor service to a participant and bills for the time.

If you realize you have made a mistake on a time entry, call PPL immediately. PPL might be able to fix the error before they bill for the services. A mistake is not fraud if it is reported right away.

If you think a participant/CLE, SSP, or PPL please is suspect of fraud please let your Service Coordinator know and please contact:
[Medicaid Fraud – PA Office of Attorney General]

Abuse, Neglect, and Exploitation

Pennsylvania law protects disabled adults of any age from abuse, neglect, and exploitation. The law protects "vulnerable adults" and children from abuse, neglect, and exploitation. A "vulnerable adult" is defined to be an elderly person or person with a developmental disability. The different types of abuse are:

Physical Abuse includes hitting, slapping, pinching, kicking, and other forms of aggressive behavior. If an SSP does something that causes physical pain, it may be physical abuse. For example, a participant spills his milk while eating. The SSP slaps him.

Verbal Abuse means any time an SSP uses spoken or written words or gestures that are meant to insult, attack, or make the participant feel bad. For example, you forget to take your pills, and your SSP says, "You are so stupid."

Psychological Abuse happens if an SSP uses actions or makes statements that are meant to humiliate, threaten, or cause emotional harm. For example, your SSP continually tells you, "You are worthless. You do not deserve me being nice to you."

Sexual Abuse includes any unwanted sexual advances or verbal remarks, touching, fondling, or attack. If a participant feels uneasy about a sexual advancement, it may be sexual abuse. For example, an SSP fondles a participant when changing his/her clothes.

Neglect means an SSP is not meeting the participant's basic needs for food, hygiene, clothing, or health maintenance. Neglect includes repeated acts of carelessness. For example, a participant can receive a bath three times a week, but the caregiver has not given her one in two weeks.

Exploitation happens when property or money is used for the benefit of an SSP or someone else besides the participant.

Seclusion is the involuntary confinement of an individual in an area from which the individual is prevented from leaving. This includes verbal instruction or any explicit or implicit intimidation that indicates to an individual that they may not leave a room, regardless of whether the individual has the ability to physically remove himself or herself from the situation. Examples include, but are not limited to, the following prohibited acts: o Placing an individual in a locked room. A locked room includes a room with any engaged locking device such as a key lock, spring lock, bolt lock, foot pressure lock, device or object, or a person physically holding the door shut. o Placing an individual in a room from which they are unable to exit independently due to the general accessibility of the room (i.e. wheelchair ramps, transitions, etc.), features of the door hardware (i.e. handles that do not meet the accessibility needs of the individual), or any other obstacle that prevents an individual from exiting.

If you feel an SSP is not treating you well or taking advantage of you, let your Supports Coordinator know immediately. You can also report your concerns to Adult Protective Services by calling 1-800-490-8505.

If you feel that you are in immediate danger, call 911.

There are some things the participant can do to protect him or herself against abuse, neglect, and exploitation:

- Check References for SSPs - even if the person seems nice! Three (3) references are recommended.
- Let applicants know there is a background check - an abuser may change his/her mind with applying when they know this occurs.
- Let the SSP know from the start that abusive or unsafe behavior will not be tolerated. If such behavior occurs, the police WILL be called.
- Make sure SSP(s) know family and friends support you.
- Solve problems early. Do not let emotions build.
- Do not minimize SSP behavior that you do not like or is uncomfortable. Tell other people if you are feeling unsafe or threatened.
- Do not think the situation will go away. Reach out to your ISP team for assistance.

How To Recognize Potential Abuse

- Does the SSP ignore instructions and requests?
- Does the SSP make mistakes and then blame other people?
- Does the SSP ask personal questions and try to get information unrelated to care, such as your financial situation?
- Does the SSP eat the participant’s food without asking?
- Does the SSP make unwanted and critical comments about the participant’s appearance, weight, clothing, speech, eating habits, etc.?
- Is there less money than expected in the participant’s wallet, purse, or account?

- Are there unfamiliar charges in the participant's checking or credit card account?
- Does the SSP attempt to control the participant's choices, such as what to wear or eat?

If the answer to any of these questions is "yes," Contact your Support Coordinator.

All persons involved in the life of the participant should be watchful of suspected abuse, neglect, exploitation, or self-neglect. If there is concern or the participant tells of an abuse incident, it should be reported to Adult Protective Services at Call 1-800-490-8505 and your Supports Coordinator.

If an SSP has broken the law (for example, theft of medication, money, supplies, or property) or there is an immediate safety issue, the police should be notified. If there is an immediate threat, call 911.

Working Hours and Payroll

It is important that the SSP work all hours as scheduled by the participant/CLE. The CLE determines the SSP's work schedule based on ODP program rules and the participant's authorization. **An SSP cannot be paid for hours worked or tasks performed that are not authorized by the participant's ISP**. Hours are not always guaranteed for the SSP because the participant's health condition or service authorization could change. An SSP's position is classified as "temporary" because the work is not guaranteed.

ODP's approved waivers do not allow services to be provided in certain settings. An example would be when the individual is in a non-acute nursing facility or institution. If an SSP works during a time designated unpayable per program rules, the CLE will cover all costs. If payment is made to the SSP and it is determined that funds must be returned, PPL will initiate a payment recovery plan with the SSP/CLE to recover the necessary funds. By law, PPL must report any instances of suspected fraud to the appropriate authorities for investigation.

40/60 Rule
*****Copied from ODP Announcement 23-04**
In-Home and Community Support and Companion services may be provided by relatives and legal guardians in the Consolidated, P/FDS, and Community Living Waivers. Anyone relative or legal guardian may provide a maximum of 40 hours per week of authorized In-Home and Community Support or a combination of In-Home and Community Support and Companion. If multiple relatives/legal guardians provide the service(s), each participant may receive no more than 60 hours per week of authorized In-Home and Community Support or a combination of In-Home and Community Support and Companion from all relatives/legal guardians. This is commonly referred to as the "40/60 Rule" by ODP.

An exception may be made to the limitation on the number of hours of In-Home and Community Support and Companion provided by relatives and legal guardians at the discretion of the employer if there is an emergency or an unplanned departure of a regularly scheduled worker. Emergencies and unplanned departures generally include:

- Explain the exceptional circumstances that will permit relatives and legal guardians to provide In-Home and Community Support and/or Companion beyond the maximum allowed hours per week.
- Establish how often exceptions are allowed and how to track exception use.
- Unexpected circumstances such as inclement weather, sudden illness, or the unplanned extension of medical leave that prevents a worker from arriving at the job site and where another worker/unpaid caregiver is not immediately available to work;
- The sudden loss of an unpaid caregiver which kept the provision of paid services by relatives and legal guardians at or below 40/60 hours per week or
- A worker unexpectedly quits or is terminated from employment such that relatives and legal guardians must perform paid work in excess of the 40/60 limitation.
- Please refer to the bulletin for more specifics.

Understanding Taxes

As a common law employer, you must pay employment taxes for your SSP. As shared above, Taxes are computed as a percentage of your SSP's hourly rate multiplied by the number of hours they worked.

The taxes that the CLE pays are:

- FICA – federal income tax includes both Social Security and Medicare taxes. The federal government sets this rate for all employers, which cannot be changed.
- FUTA—The Federal Unemployment Tax Authority sets the federal unemployment tax rate. The money collected goes into the federal unemployment pool.
- SUTA—State Unemployment Tax Authority sets the state unemployment tax rate by the Pennsylvania Department of Labor and Industry Office of Unemployment Compensation and is unique to all employers. New employers have a set rate, which can increase or decrease depending on whether unemployment claims are attached to their accounts, how much turnover they have in SSPs, and the dollar amount of wages they pay. The UC Office updates the new employer rate annually.

Unemployment Claims—You will receive notice if an SSP has filed an unemployment claim. The employer can respond to questions on the Unemployment Claim. Your answers are used to determine whether the SSP should receive unemployment funds.

Employer/SSP Relationship - The CLE does not have to pay some taxes if the SSP is related. The SSP fills out a form at Enrollment that determines whether taxes are paid. This is an IRS rule.

PPL pays all employer and SSP taxes. All employers are responsible for paying both federal and state taxes. This is calculated when the SSP's wage is determined. It is paid from the reimbursement rate for personal care and other approved services. PPL calculates and deposits the SSP's taxes from the W4 which is an IRS requirement.

For example:
SSP Pay Rate: $ 10.00 hourly
Federal and State Taxes: $2.00
Reimbursement Rate: $12.00

According to our payroll schedule, PPL issues pay on behalf of the CLE through direct deposit to the SSP's bank account or by pay card every other Friday. Paper checks may be issued, but they are discouraged because mail is not always timely or reliable. Paystubs, which summarize the SSP's pay, are sent to the SSP's email address on file. The participant also has access to payment information through MyAccount.

W2s for the previous year are issued to all SSPs by the Federal date (often January 31).

Electronic Visit Verification

Electronic Visit Verification (EVV) is a federal requirement for all Medicaid personal care and related services. The PPL Time4Care application not only captures the work time for the SSP but is EVV compliant. This means that visits that occur record six points of data:

- Type of services performed
- Individuals receiving the services
- Individual providing the services
- Date of service
- Location of service
- Time service begins and ends

SSPs must use the Time4Care App to submit work time. Time4Care is EVV compliant. Once submitted in Time4Care or MyAccount, the CLE approves the work time using the application or in MyAccount. Telephony is an option if a CLE cannot access a smartphone. Please refer to the PPL website pplfirst.com for more information.

Vendor Process

PPL has both a paper and electronic invoice process for goods and an electronic service process. The good or service is a service, equipment or supplies that is approved on the Individual Spending Plan. They are limited to $2000.00 a participant.
Not allowable are:

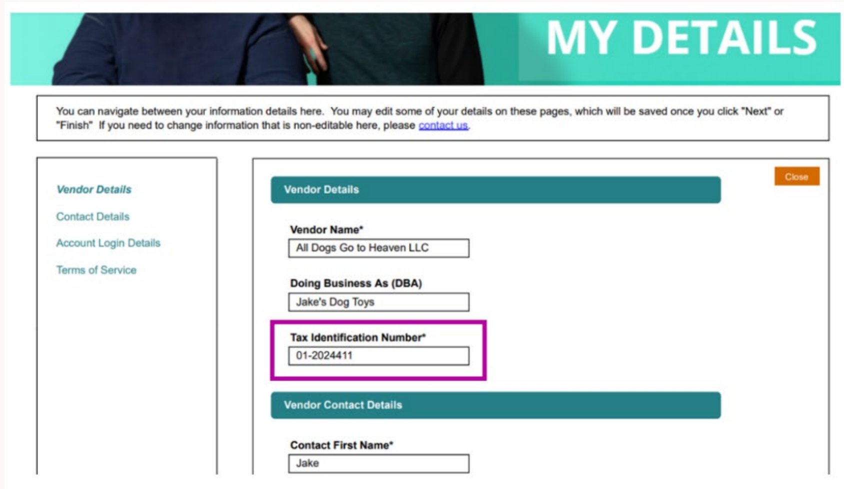
- Personal items and services not related to the participant's intellectual disability, developmental disability or autism;
- Experimental or prohibited treatments;
- Entertainment activities, including vacation expenses, lottery tickets, alcoholic beverages, tobacco/nicotine products, movie tickets, televisions and related equipment, and other items as determined by the Department; or
- Expenses related to routine daily living, including groceries, rent or mortgage payments, utility payments, home maintenance, gifts, pets (excluding service animals), self-employment/business related expenses and other items as determined by the Department.
- Items and services that the participant has the funds to purchase;
- Items and services that are excluded from receiving Federal Financial Participation, including but not limited to room and board payments which include the purchase of furnishings and services provided while a participant is an inpatient of a nursing facility or ICF/ID.

The processes are below:

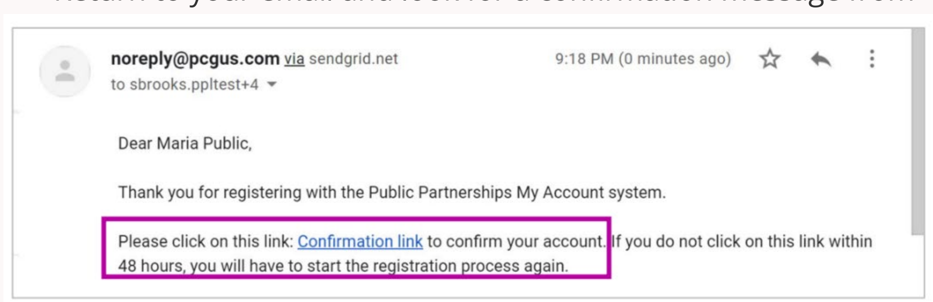
Purchasing Goods

- You can request goods through MyAccount or through a paper request.
    - Paper Requests:
        - Complete the Goods and Services Form located in the Document section on pplfirst.com and send it to the email address on the form.
        - If the Vendor is not listed in the MyAccount System, the W-9 is also required.

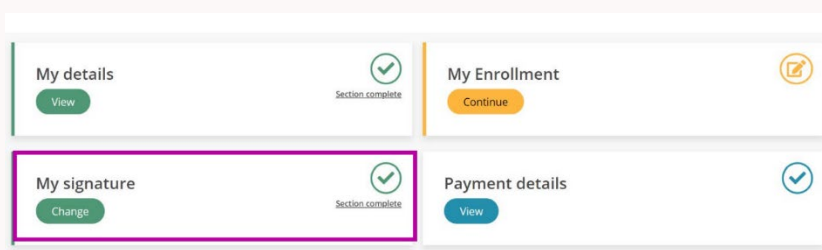
- Registering In MyAccount:
        - The vendor can register on their own (smaller agencies); or a W-9 can be submitted for larger, big box agencies.
        - You will receive an email notification asking you to register for MyAccount. This email comes after a participant has added you as a new vendor.
            - In your email invitation, open the MyAccount link.
            - In MyAccount, input your identification details and check the Tax ID Number.



- Under Contact Details, specify how to contact you. In the address box, use Search to show official addresses that match.
- Under Account Login Details, type a new password and set your security questions.
- CLEs should not be sharing their MyAccount PPL login information.
- with any one
- Enable the checkbox acknowledging PPL's Terms of Service and select Finish.
- Return to your email and look for a confirmation message from

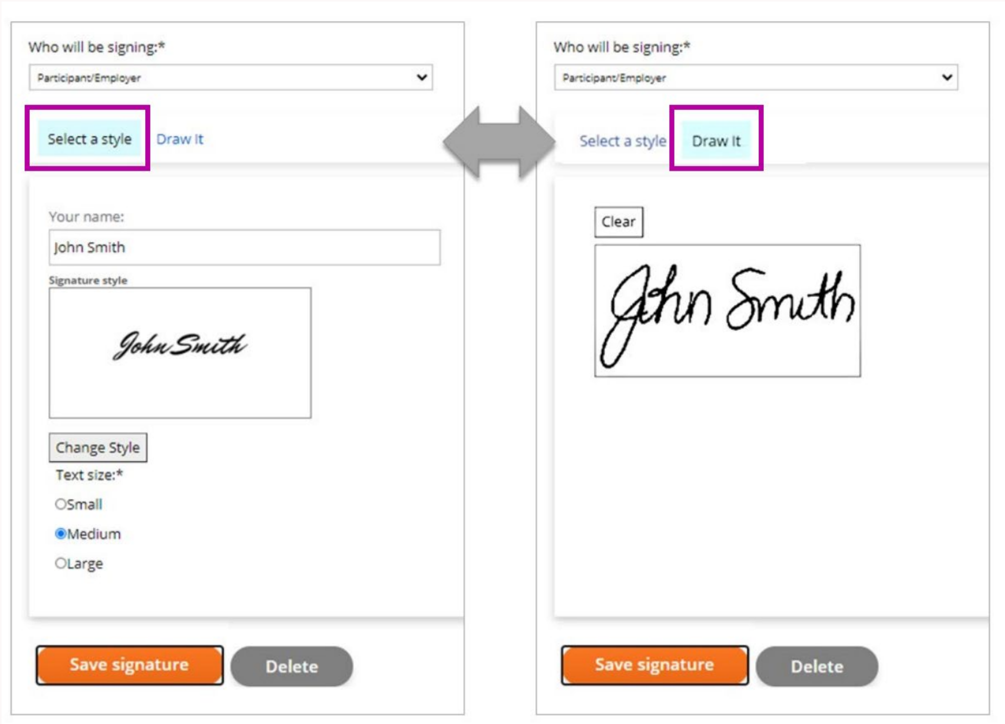


- To complete enrollment, you will use an electronic signature.
  - On your MyAccount dashboard, select My signature.



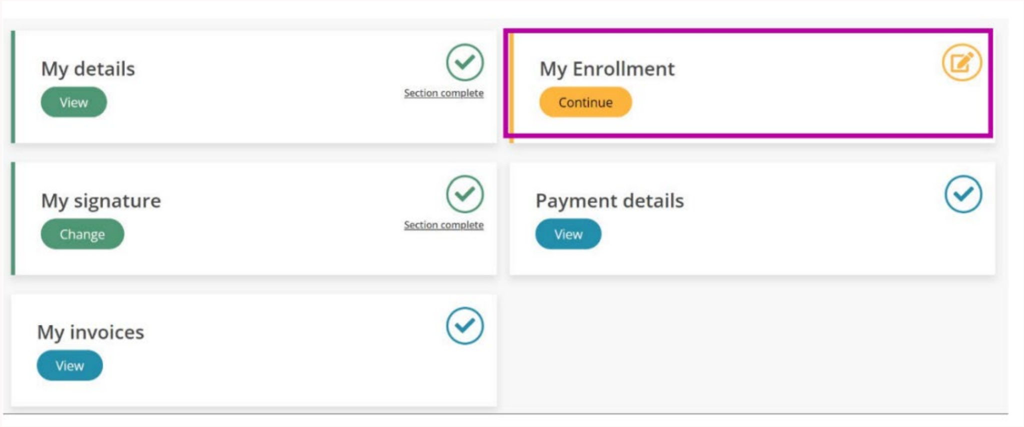
  - Under Who will be signing, select which role you are serving.

- Choose between these options:
  - Select a Style – Useful if you can only type your name. You can select different styles and sizes to your liking.
  - Draw It – Useful if you have a touch screen device.
- Select Save signature.

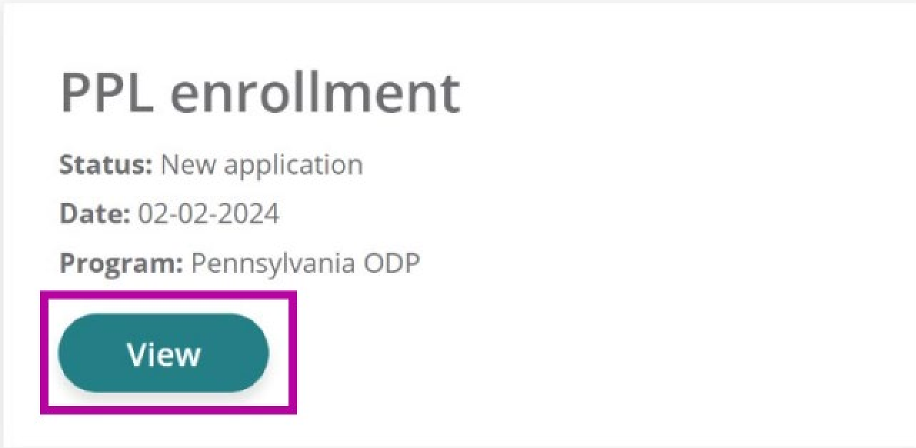


Completing Enrollment:

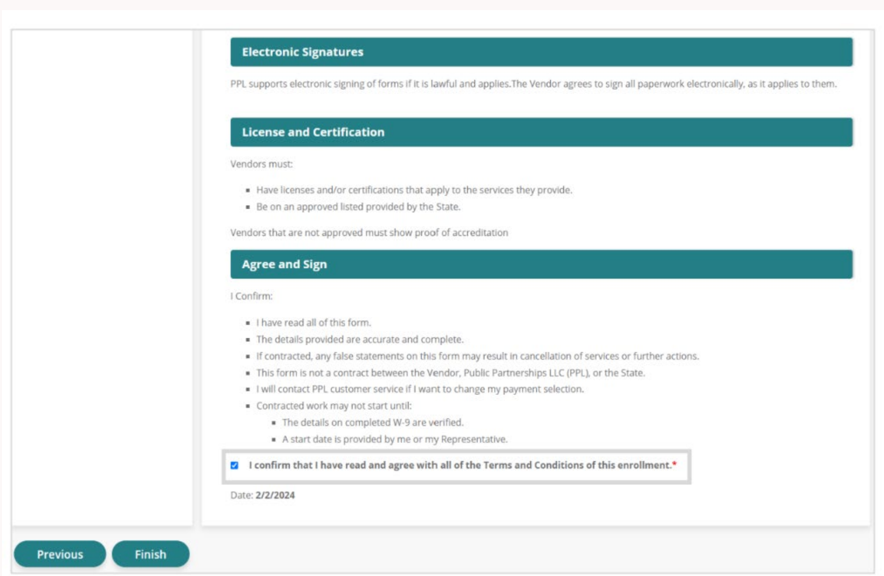
- When you are just starting with Public Partnerships (PPL), you need to complete your enrollment.
  - On the MyAccount dashboard, select My Enrollment.



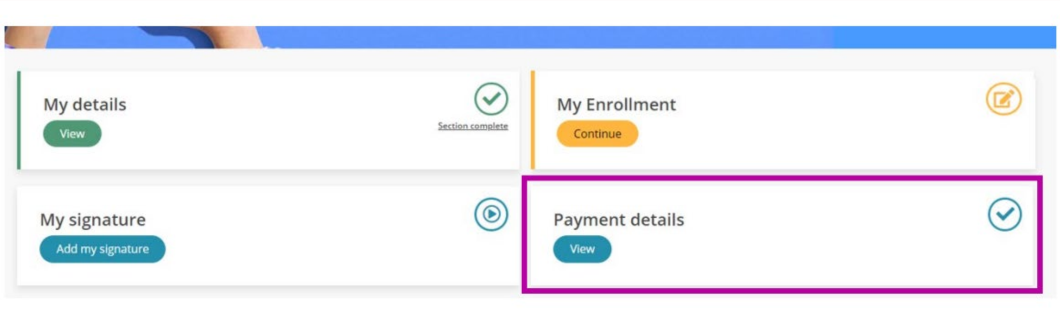
- Under your summary information, select View.



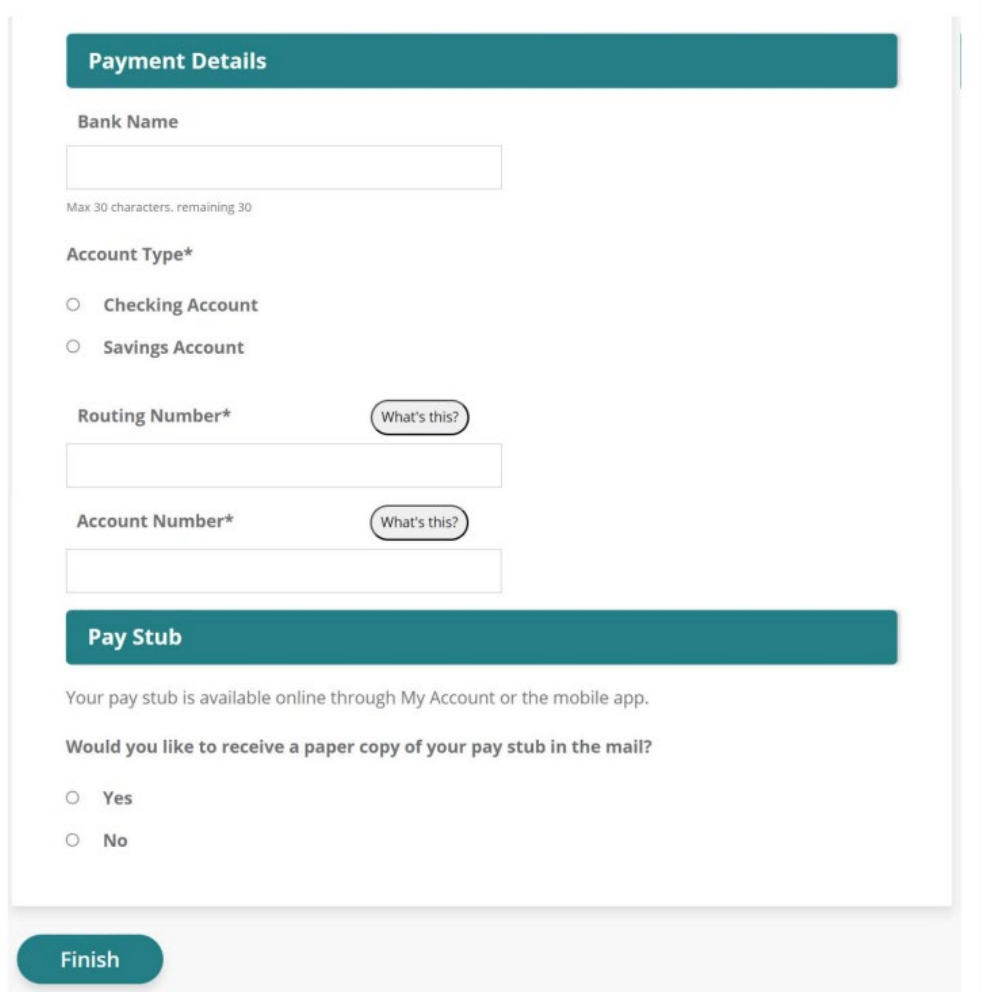
- Select which Federal Tax Classification you use to do business, such as sole proprietor or corporation.
- In the Terms and Conditions section, read all statements and select the “I confirm” checkbox.
- After you agree to the terms and conditions, select Finish at the bottom of the page.
- Under the Agency Enrollment complete message, select Confirm.
- Wait for Public Partnerships to review and verify your enrollment forms. You should receive an email when you’re approved.



- At any time, you can update your preferences on how you want to be paid.
- On the MyAccount dashboard, select Payment details.
- In the Payment Details page, select Edit.

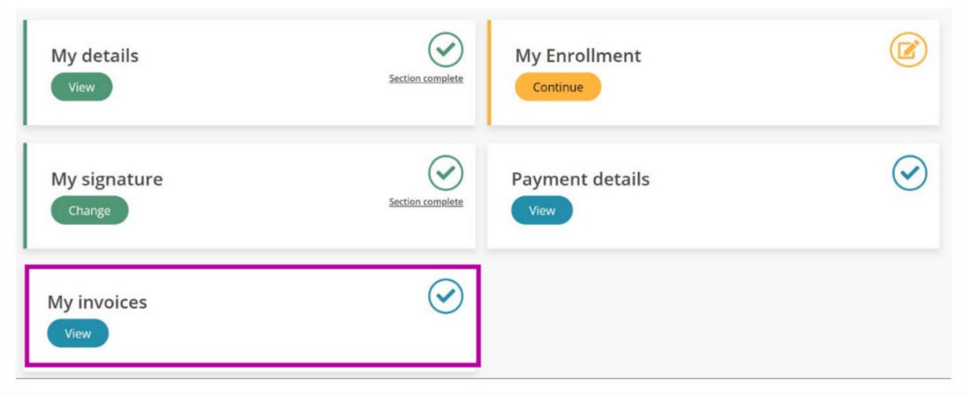


- Specify how and where you want to receive payments from Public Partnerships, including bank details, if applicable.
- Select Finish when complete.

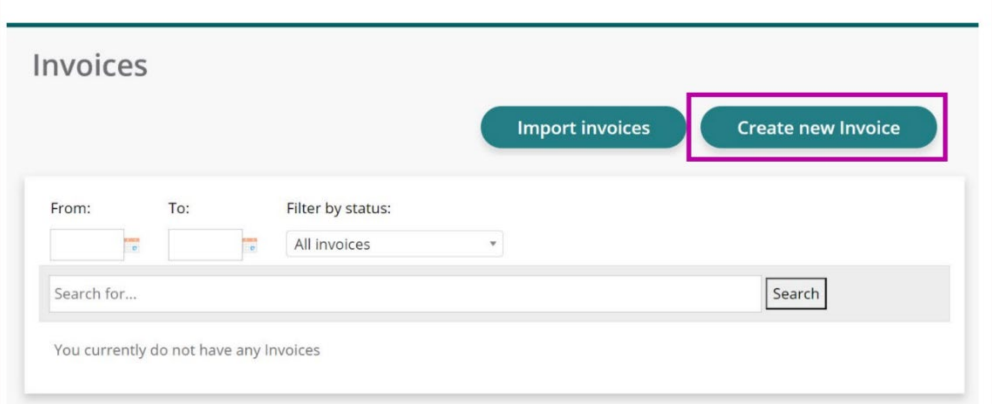


Submitting an Invoice:

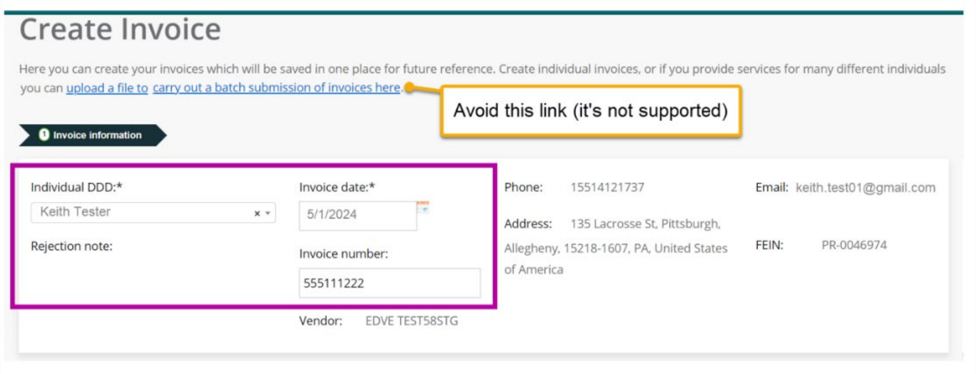
- On the MyAccount dashboard, select My Invoices.



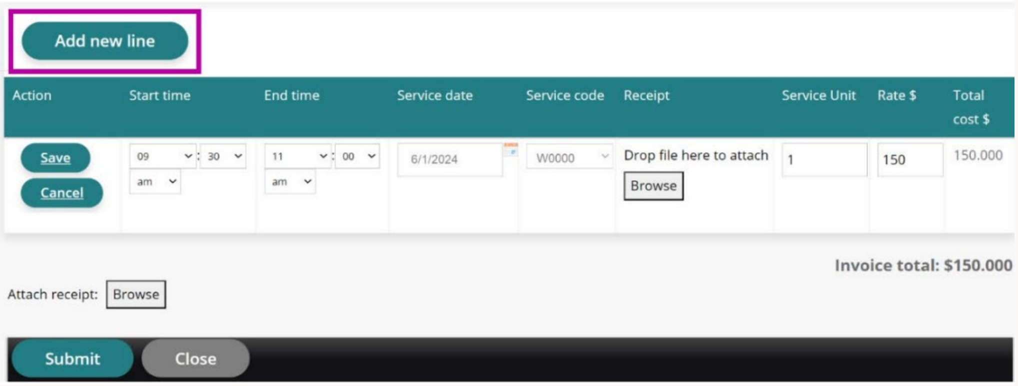
- On the Invoices page, select Create New Invoice. Note: Don't use the Import Invoices feature. It is not configured for this program.



- On the Create Invoice page, under Individual, enter the name of the program Participant who received services.
- For Invoice Date, specify when you are submitting it (typically today's date).
- For Invoice Number, you have the option to enter any number to help you track this transaction.



- Select Add New Line.
- Complete the Start time and End time, if applicable, and the Service Date. Note: This date must be within the Participant’s authorized budget period.
- From the Service Code menu, choose the applicable code. Only the codes allowed will appear, based on Participant and Service Date.
- Under the Receipt column, you have the option to upload a document as evidence. Note: Alternatively, you can attach a receipt for the entire invoice by selecting Browse near the bottom.
- For Service Unit, enter a quantity that will be multiplied by the Rate $. Note: You can enter mileage if you are billing for your own transportation or for public transportation.
- Add more lines as needed and select Submit.



- Next, the Participant will approve this invoice. It remains pending until approved.

Other Information:

- PPL can purchase BestBuy and Amazon purchases for delivery (W9 is not required). If unsatisfied with the product, the CLE is responsible for the return.
- PPL processes the invoice within three business days.
- A check is issued in the Vendor's name or sent to the CLE/reimbursement made out to the Vendor. The CLE instructs on the means of reimbursement for the invoice.

Purchasing Services

- The CLE adds vendor information in MyAccount.
- The vendor is emailed account set-up information.
- The vendor uploads their W9 and pay account information.
- The vendor completes the invoice electronically in My Account.
- The CLE must approve paying the invoice.

If a service provider is not able to use MyAccount a paper invoice can be submitted and the payment is sent directly to the vendor, or the CLE receives a paper check made out to the vendor. See PPLfirst.com for more information.

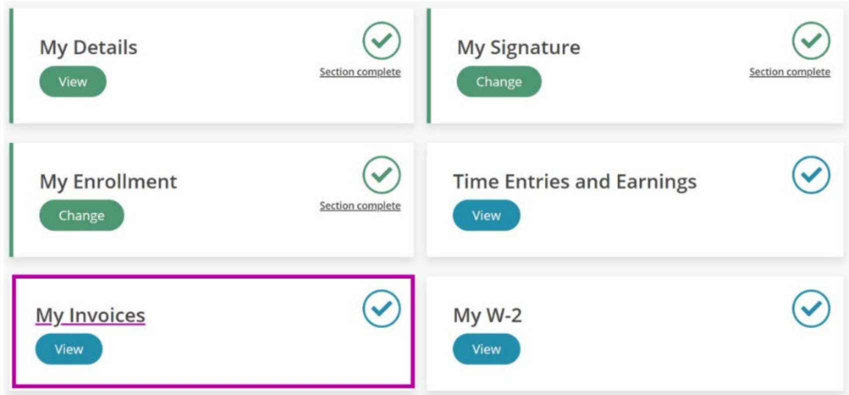
PLEASE REMEMBER: It is important to use the PPL invoice. It contains the necessary information for processing the payment.

Mileage and Transportation

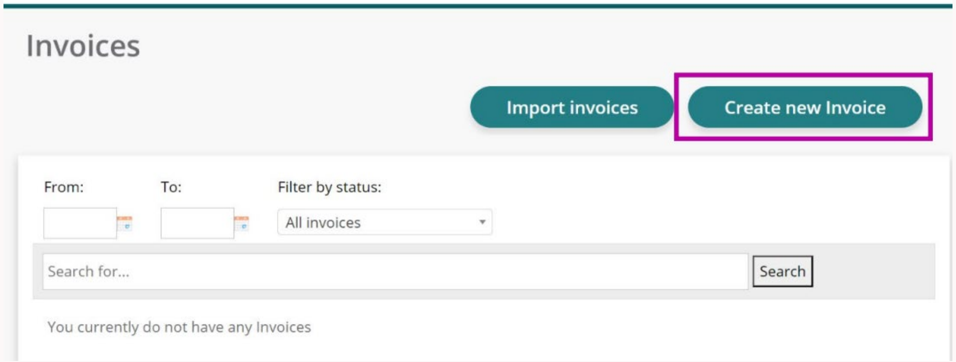
An SSP can submit mileage for the CLE approval each pay period in MyAccount. Mileage payment is not taxable for the SSP. The CLE can also submit for mileage reimbursement in MyAccount if authorized on the ISP.

Follow these steps to submit your invoice for repayment of your mileage. Here is the overall process:

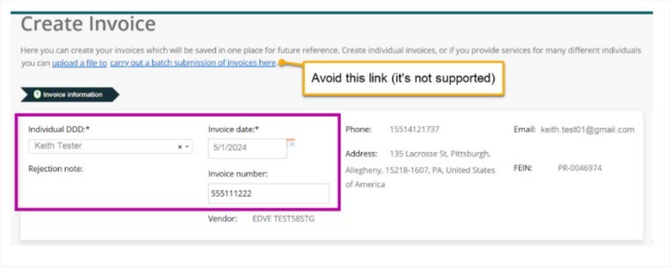
- On the MyAccount dashboard, select My Invoices.



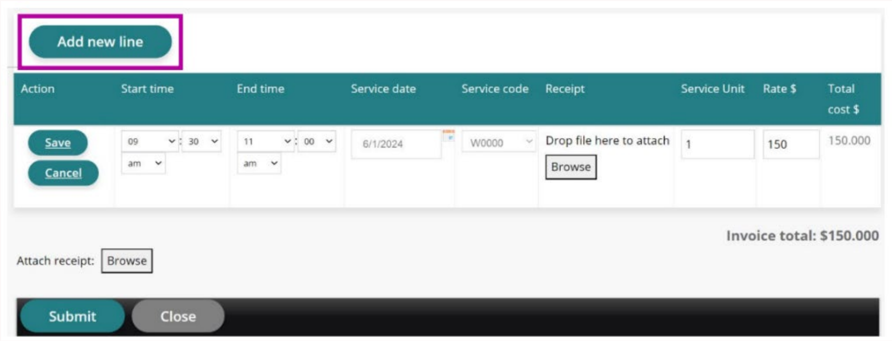
- On the Invoices page, select Create New Invoice. Note: Don't use the Import Invoices feature. It is not configured for this program.



- On the Create Invoice page, under Individual, enter the name of the program Participant who received services.
- For Invoice Date, specify when you are submitting it (typically today's date).
- For Invoice Number, you have the option to enter any number to help you track this transaction.



- Select Add New Line.



- Complete the Start time and End time, if applicable, and the Service Date. Note: This date must be within the Participant's authorized budget period.
- From the Service Code menu, choose the code for transportation mileage.
- Under the Receipt column, you have the option to upload a document as evidence. Note: Alternatively, you can attach a receipt for the entire invoice by selecting Browse near the bottom.
- For Service Unit, enter your miles traveled. It will be multiplied by the Rate that's allowed for this service.
- Select Save for this line entry.
- Add more lines as needed and select Submit.
- Next, the Participant/CLE will approve this invoice. It remains pending until approved.

Mileage reimbursements can also be submitted by paper.

- Please complete the Mileage Reimbursement Form on the PPL website:
  - PAPER - Transportation Mileage Log
- The form must be submitted according to the pay schedule located on www.puplicpartnershipsllc.com. And can be submitted to: PAODP@pplfirst.com.

PUBLIC TRANSPORTATION – The participant can purchase bus passes when needed by submitting an invoice in MyAccount.

- **SEPTA** - The participant can submit for bus passes in MyAccount. Bus passes are purchased by the 25th of the following month and added to the participants personal purchased bus pass.
- **Uber** – PPL will work with the participant to set up an UBER account that links to a PPL UBER account for payment for rides.

Please refer to our website for more information about these processes.

Confidentiality and Disclosure

CLEs must keep confidential information concerning the participant's medical care and services received. This is true even if the SSP is a family member! It violates HIPPA (Health Information Privacy and Portability Act) to reveal any protected health information (PHI) about the participant to anyone without the participant's permission. Exceptions to confidentiality are made when reporting concerns of abuse, neglect, or exploitation as required. This includes the following situations:

- If an SSP is worried that a participant has threatened or poses a threat to the physical safety of another person with intent, the threat may be carried out.
- The SSP believes the participant is at risk of immediate harm.
- The SSP believes the participant is being abused, neglected, or exploited.

If a participant or employer has concerns that their SSP has breached confidentiality, call your Supports Coordinator to discuss. Terminating an SSP for this violation is warranted. The SSP is a mandatory reporter and must report any of the above to the appropriate authorities immediately. It is the law.

Notifications to PPL

The CLE must update PPL right away with the following:

- the SSP is terminated.
- the SSP resigns.
- the SSP is charged with a felony.
- a change in Supports Broker.

Participant/CLES must update MyAccount as soon as possible if there is a:

- Name change.
- Address change.
- Phone number change.

PLEASE NOTE: PPL is only responsible for sending mail or issuing checks with the right name on them, etc., if it is not informed of address changes.

Back-up Planning

Back-up planning is a good idea for everyone. Having a plan for dealing with different types of emergencies, such as medical emergencies, hospitalizations, fires, power outages, severe weather, and other natural disasters. A plan helps keep the participant safe and minimize any injury or damage.

Things to consider when making a back-up plan:

- Work with your ISP Team to design your plan.
- Discuss with and include SSPs in emergency planning.
- It is helpful to keep emergency information near the telephone. Show the SSP this list and discuss an emergency plan during orientation and training.
- In an emergency, review with the SSP what they need to do, who they should contact, or where to take the participant.
- Some fire departments have special stickers to put in the participant's window to inform them of a disability. Then, the firemen can plan a special evacuation if necessary.
- You can update the Emergency/Back-up Plan at any time.

Compliments, Complaints, and Grievances

As the VF/EA, we want to hear about services from participants, CLEs, and SSPs. Please call us and let us know what we are doing well. Your feedback is essential and helps improve what we do!

Complaint and Grievance Process

If a participant/CLE or SSP is unhappy with the services PPL is providing, please share your dissatisfaction immediately. The earlier it is talked about, the better, so things do not build up. A complaint may be made verbally, by calling PPL, or by completing a Complaint Form. We will respond to all complaints within one business day. Our goal is to find a positive solution to resolve the problem.

A grievance is different than a complaint. A grievance should be filed if the participant feels their rights have been violated or a PPL policy has not been followed in a situation. Grievances are fully investigated by PPL administrative staff. Any grievance that is reported to the PPL will be investigated and resolved timely; you will be notified of the resolution.

There is a complaint and grievance form located under Documents at pplfirst.com

Information for Completing Employer Tasks

PPL understands that not all people who choose to self-direct their care have been employers before. This section provides information on how to interview, hire, train, and manage SSPs. If hiring a family member, some of the information may not apply. For example, the participant may not interview a family member or get references because she knows them well. You will want to perform other tasks as an employer, though, if the SSP is a family member. Because you are the employer, you still need to treat the family member as an SSP. Maintaining employer boundaries with family members is sometimes hard, but it is important. Orienting and training to the SSP position and treating them fairly and consistently is very important.

Recruiting SSPs

Recruiting SSPs may be challenging. Finding a good caregiver that you trust is important. Ideas for recruiting or advertising are:

- Create an advertisement on a sheet of paper and hang it at the local job service/employment office, grocery store, laundromat, church, community college or university, social service agency,
- Advertise in the local newspaper, weekly advertising guide, or other newspapers. This sometimes costs money, so you may want to research before deciding.
- Advertise on Craig's List or other social media.

Always use caution when using public sites. Make sure you carefully screen callers. Protect personal information when advertising. Include a phone number for the interested party to call but not your address. You can give more information about yourself when the interested person calls. Describe briefly what is needed.

EXAMPLE:

> Are you looking for a rewarding job?
>
> Needing a worker to assist an individual, who is super fun to work with, with shopping, preparing meals, and other light household tasks.
> Hours M, W, F 10 am-1 pm. Hours can be flexible.
> CALL 555-555-1212 if interested.

- Spread the Word - Telling family, friends, and other participants that you are looking for an SSP may help identify a worker.
- Coordinate with other participants with SSPs who want to work more hours or are willing to fill in.
- Let your Supports Coordinator know. They may know of other participant's SSPs who are looking for more hours.

Screening Applicants

It is illegal to ask people specific questions. The information learned can be used to discriminate against them. **Questions that cannot be asked when screening or interviewing an applicant:**

- How old are you?
- What is your native language?
- Are you married?
- Do you have any children?
- Have you ever been arrested?
- What church do you attend?
- What is your religion?
- Do you belong to any clubs or organizations?
- What is your credit rating?
- Do you own or rent your home?
- In what country were you born?
- When were you born?
- Do you have a disability or medical condition?
- Are you a Republican or Democrat?
- What are your family members' names?
- What is your race?

Talking with applicants by phone before you interview them is a good idea. You can tell them about the position and what you need from them. Letting them know the schedule, hours, and hourly pay rate may help the applicant decide if the job is right for them. Screening an applicant helps you and the applicant determine whether you want to schedule an interview.

It may be helpful to review the criteria for being an SSP in ODP

- Must be 18 years of old.
- U.S. citizens or legal aliens authorized to work in the U.S.
- Submit a background check and do not have any barrable offenses.
- Be able to communicate clearly with you.
- Qualification process as an SSP.

Interviewing

An interview allows the participant/employer to meet the applicant and decide if they are the right person for the job. It is safest to schedule an interview anywhere other than your home. You also may want to bring another person with you to get their opinion. Have a list of questions prepared that you want to ask, and ask the same questions for each person. It helps to write down answers so you remember what they said. Open-ended questions are encouraged. Open-ended questions cannot be answered with a "yes" or "no" and give you information about the candidate.

Sample Questions:

- What accomplishments have you been proud of during the last few years?
- What interests you about this position?
- What are your career goals?
- What are your strengths and weaknesses?
- What are your interests?
- Tell them about what you need them to do...Are you comfortable with and can you perform these tasks (be honest with what you need them to do so they are not later surprised)?
- Ask specific questions about their skills. For example, 'I need help making meals. How do you rate your cooking skills on a scale of 1 to 5? '
- Make sure they can perform all tasks.
- While you cannot ask the candidate if they have a disability, you can ask, "Is there anything that keeps you from doing the job I described?'
- For health reasons, I cannot be around cigarette smoke. Are you a smoker?
- If you have a pet, ask them if they have allergies or are uncomfortable.

Red Flags

If you want more questions, there are many ideas on the internet. It is also good to let the applicant ask questions about the job to improve their understanding of what you need.

There are things you may notice during an interview that make you uncomfortable. If you have feelings of uncertainty, it is a sign that you should not hire the person. Concerns to note:

- They come late for the interview.
- They do not make eye contact with you.
- They do not seem interested.
- They are unkempt (hair dirty, clothes ragged and unclean).
- They ask you personal questions (do you live alone, or what is your address?)
- They use inappropriate language.
- They make comments about things that you react to inside.

Offering the Position

Once the interview is done, it is time to decide on the best candidate. Who is the best fit for you? Who do you feel most comfortable with? When you offer the position, remind the candidate of the schedule, start date, and pay rate. Get their acceptance of the position before you tell them your address and where to report to work.

Next, set an appointment to complete SSP paperwork and remind them what they need to bring to the appointment. These are

- Social Security Card (for payroll)
- Driver's License for residency
- Voided Check for direct deposit

You also need to provide them with the "List of Acceptable Documents" in the I-9 packet you will fill out with them. Remember, you cannot ask them to bring any documents; they can offer which ones they choose to present. Please have them select from the "List of Acceptable Documents" either List "A" OR Lists "B" and "C" listed on the form.

All documents must be UNEXPIRED documents.

Background Check

Pennsylvania requires that all applicants consent to a state background check. A national background check will be done if the applicant has lived out of state in the past two years or if a child (under 18) lives in the home. Other background checks include an abuse registry check. Nurse registry and an Office of the Inspector General check for each SSP. Applicants need to permit PPL to conduct background checks. A Consent Form is in the New SSP Packet. If an applicant has a history of Neglect, Abuse, or Exploitation, they cannot be hired, which may eliminate some applicants.

Once received, PPL will review the background check. It will be compared to the State's list of barrable offenses to determine when the SSP can begin work. If the SSP has a barring offense, the FEA will call the employer and send the background check to the employer. The employer can hire the applicant anyway but must sign a waiver.

An SSP CANNOT work without a background screening. SSPs are also expected to inform the employer if they are charged with a felony between checks, and the employer must inform the PPL of the charges.

The CLE can waive the results of a background check if they choose. The employer must complete an Acceptance of Responsibility Form to document the waiver which will be stored in the employer's record.

Hiring SSPs

Because the Participant or Surrogate is the employer, they are responsible for hiring and completing paperwork for new SSPs. The paperwork must be completed before an SSP can begin work. The packet contains both federal and state forms. Some forms need the employer's signature, so please read through them carefully.

PPL will assist the employer if they need help with any of the employment forms. The eligibility checks must be started on the FEA website.

New SSP Packets All employment forms, including a complete SSP Enrollment and Hiring Packet, are on the website.

Completing the SSP Packet

As the employer, the CLE must ensure the SSP packet is completed. Please double-check that the packet is filled out completely. The packet can be completed in MyAccount. Incomplete packets will be returned. An SSP can begin work once each form in the packet has been completed and the Background Clearance received. PPL will notify you in writing when your SSP can start work. Hours worked before receiving a "good to go" will not be paid.

REMEMBER: Contact PPL Customer Service if you need help completing a packet or if there are any changes for SSP information.

Orientation and Training

On the SSP's first day of work, an orientation will be presented to explain the position and discuss your expectations. Give the SSP a tour of the house, show them where items they need to use, and outline job duties.

It is important to:

- Be very clear about job duties.
- Organize paperwork, training materials, etc.
- Prepare: If the SSP will be grocery shopping, think about how to get groceries, what you need them to buy, how they will pay for groceries, the need to keep receipts, where to shop, etc.
- Set the work schedule.
- Identify the house rules they need to know about.
- Let them know about how to dress for the job.
- Let them know the consequences if they are late or do not show up for work.
- Give a tour so the SSP knows where supplies are located.
- Tell the SSP about any areas of the home that are off-limits.

- Show the SSP where the emergency exits are and where the fire extinguisher is located.
- Identify where emergency numbers are located and explain what to do in an emergency.
- Explain the participant's disability – is there anything specific the SSP should know (i.e., food allergies, blood sugar issues, forgetfulness?)
- Review safety procedures for completing lifts and transfers.
- Discuss safety guidelines for any disability-related equipment the SSP will be expected to use.
- Review and read the ISP.

Protecting the health and safety of the participant is essential. Below are important orientation topics to discuss with a new SSP:

- Review safety guidelines for any household appliances or equipment the SSP will be expected to use.
- Discuss emergency protocol. In? How will the SSP get in if the participant cannot open the door?
- Remind people to wash their hands thoroughly before preparing food and before and after performing personal care duties.
- Discuss using plastic gloves and where they are stored if preferred.
- Let them know if there is a sharps container and the plan for disposing of sharps.
- On the SSP's first day of work, an orientation will be presented to explain the position and discuss your expectations.
- Give the SSP a house tour, show them where items must be used, and outline job duties.

Be Clear with Expectations

- Explain your rules regarding using the phone, car, washing machine, computer/printer, and eating the participant's food.
- State these rules clearly at orientation. It is always better to state the rules than to wait until after something has happened.
- Tell the SSP the pay rate and explain when timesheets are due and when the SSP will be paid.
- The rate of pay is identified on the Employer-SSP Agreement.
- Let the SSP know your response to poor performance, such as being late for shifts or not completing job tasks. That way, they know what to expect and are not surprised by your response.
- Remind the SSP of the importance of confidentiality. What the participant (employer) says and does while the SSP works should remain confidential. The help being provided by the SSP is personal and should not be discussed with friends, family members, or other individuals they may work for. The SSP should be reminded that violating confidentiality can be grounds for termination.

Having the SSP read HIPAA guidelines when they begin work will help familiarize them with the law.

Confirm the Work Schedule

The work schedule helps the SSP know what days of the week and times they need to work. Letting the SSP know before a schedule change will ensure you have the necessary coverage.

NOTE: If the SSP wants to take time off, what procedures must be followed? It is unusual for an SSP to be sick or want a vacation. For this reason, it is good to have a backup SSP. A backup SSP is an SSP who is paid for working when your regularly scheduled SSP is unavailable. If you have two SSPs, they can be backups for each other.

Managing SSPs

Mutual respect means that the CLE treats the SSP as you would like to be treated. Managing and supervising SSPs requires that the CLE be direct with communication, create a good working relationship, give positive and constructive feedback, deal with conflict, and decide if the SSP is doing a good job. How the CLE manages and supervises the SSP can affect how long it will work, how happy they are working, and the quality of their services.

It is important to be transparent in expressing the participant's needs, preferences, and how they want things done. Being assertive and direct with communication means:

- Being respectful
- Explaining care needs
- Being clear with what you like and dislike
- Expressing thoughts, opinions, and appreciation

Another good communication strategy is to use “I Statements. “I Statements give feedback to an SSP based on the CLEs' experience. For example, “When you do _____, I feel ______.” This communicates the effect of the SSP's behavior on you and helps the SSP not personalize the feedback.

For example, “When you are late for work, I feel anxious because it makes me late for my job.”

Supervising Others

Being a supervisor involves teaching and coaching the SSP. This will help the SSP to do a good job. If the SSP is doing the job well, compliment them. If they are not doing the job right, the CLE needs to give the SSP suggestions for what they could do differently to improve it.

Feedback about how the SSP is doing should be specific. The best kind of feedback is positive feedback. Complimenting the SSP, thanking them, and showing appreciation will maintain the SSP's respect. If the CLE is unhappy with how the SSP is doing something, tell or show the SSP how to do the task differently. For example, "This meal is so good. Will you make it again?" or "I feel safer when you grab onto my belt to help me walk."

It is helpful when supervising to:

- Get to know the SSP.
- Create a positive work atmosphere.
- Indicate belief (confidence) in the SSP.
- Explain the rules clearly and expect they are followed.
- Explain the consequences of breaking the rules.
- Be consistent in how the participant responds to each SSP.
- Be respectful but assertive.

Creating A Good Working Environment

Most SSPs stay with a job because they like who they are working with, and the job is rewarding. Below are some ideas for creating a good working environment:

- Treat SSPs with kindness, fairness, and respect.
- Be constructive with feedback (focus on the behavior, what the SSP is doing, not the person). For example, "When you are late, I feel nervous," not "You are irresponsible."
- Keep communication open.
- Discuss problems as they arise.
- Avoid taking out frustrations on the SSP.
- Use a sense of humor.
- Be flexible when possible (If the SSP asks to come in a few minutes late because they have something important to do).
- Express appreciation for the work the SSP is doing.
- Check in with the SSP about how they like the job. If the SSP is unhappy, you can talk about it with them.

A positive work environment will help the SSP be happy, productive, and motivated. Good communication between the CLE and SSP is the key to a good working relationship. If the SSP is happy working with you, they will stay longer and do a better job.

Resolving Conflict

Conflict is a natural part of any relationship. People are different from each other, which is why conflict arises. Conflict itself is not a problem. It is how people deal with conflict that is the problem. Most people are uncomfortable with conflict, so they avoid it. That is the worst thing to do! It is best to deal with issues as they come up. Remember to keep emotions in control. If the SSP has done something that makes you angry, wait until you cool off to discuss it. A step-by-step process is used to resolve conflict.

1. **Identify the Problem** - You may have a problem with something the SSP is doing, but they do not need to know, like playing the music too loudly when cleaning. The SSP may have a problem with you that you need to know about. For example, the SSP thinks you can do more to help prepare a meal than you do.
2. **Define the Problem**—Ask open-ended questions and actively listen to understand and define the problem better. Try to identify whose responsibility it is to solve this problem.

   Examples include:
   a. An SSP who listens to music when cleaning is the participant's problem because the SSP cannot hear when the participant might need them. It is also irritating to the participant.
   b. The SSP is frustrated because she thinks the participant could help more when making meals. Even though the participant receives in-home services, she should always try to do tasks she can do. This is the SSP's problem.

   When solving problems, everyone involved should have input, but whoever 'owns' the problem should make the final decision.

3. **Generate Solutions—**Everyone involved should suggest solutions. Do not criticize any suggestions at this step. Think of as many ideas as possible. Write them all down, no matter what. The participant decides on an acceptable music level or asks the SSP to wear headphones if it is safe. The SSP identifies tasks the participant can do to help and includes them more in the meal-making process.
4. **Discussion and Evaluation—**Discuss the positives and negatives of each solution suggested. Writing out a good and bad list can help the evaluation process.
5. **Select a Solution** - Decide on the solution that best solves the problem.
6. **Make a Plan** - Agree on who will do what, where, when, and how to solve the problem.
7. **Evaluate the Solution**—Set a date and time to discuss whether the solution works and revise the plan as needed.

By facing problems right away, working relationships can be strengthened and improved. Solving problems builds trust.

Correcting the Action of SSPs

When an SSP is not following the CLE's work rules or not performing tasks correctly, it is important to give feedback. Constructive feedback, not critical, is best. Constructive feedback is about performance and behavior and is not about the person.

For example:

Constructive: "You were late for work. I need you to be on time because I cannot get out of bed without you."

Critical: "You are very irresponsible."

They are using a 3-step process called "progressive feedback" to help SSPs understand that their work must be improved or corrected.

The feedback steps are:

1. Verbal
2. Written
3. Job Termination

This process allows the SSP to improve at each level. The next level is used if they do not and the problem continues. If there is still no improvement, the CLE will need to consider whether they want them to continue working.

Putting the feedback in writing (even if a verbal warning) gives the CLE a record that you have discussed the issue. It can be on paper unless the CLE wants to type it. The documentation also helps if the SSP later files for unemployment.

When giving feedback, it is also important to identify what the SSP can do to improve. The problem-solving steps explained above may be helpful to use.

Pay Reminders

- Pay periods are every two weeks.
- The pay period begins on Sunday (midnight) and ends on Saturday (11:59 p.m.).
- Timesheets are due according to the payroll calendar.
- Time can be entered via the web portal or by phone daily, but it must be entered by the date on the payroll calendar.
- Late time sheets may result in late pay for the SSP.
- Paydays are every other Friday.
- Both pay periods and paydays are identified on the pay schedule you receive at enrollment. It is also located on the website PPLfirst.com

- If an SSP quits, the final check will be paid according to the pay schedule.
- When an SSP is terminated (fired), wages owed will be paid within three working days of termination (not including weekends and holidays).
- If an SSP no longer works because the participant is not receiving fiscal services through the FEA, it will be paid within three working days.
- An SSP will not be paid for hours worked, or tasks performed that the ISP does not authorize.
- If the participant has SSP work hours that are not authorized on the ISP or does tasks that are not approved, they may be responsible for payment.
- Individuals who live with the participant can work over 40 hours in a week but are not paid overtime because of the live-in exemption Department of Labor rule.
- If PPL makes a mistake when paying an SSP, please let us know immediately so we can correct the mistake.

Remember that PPL is not the employer. The CLE is the employer and may be responsible for the SSPs pay if ODP program rules are not followed.

Terminating SSPs

An SSP may choose to end employment with the participant or vice versa. If an SSP gives notice, ask them to give you enough time to find another SSP. A two-week notice is ideal. The SSP leaving will be paid for hours worked according to the payroll calendar. By law, a final time sheet must be submitted to PPL within two (2) business days of the last date of employment so that the SSP receives payment.

If the CLE considers terminating an SSP for poor performance, inform PPL immediately. When terminating an SSP, it is best to:

- State the reasons for termination clearly.
- Identify the behavior that is not acceptable.
- Have another person there if the SSP might be angry or put the participant's safety at risk
- Call the person and terminate, if possible.
- Have a backup SSP or new SSP ready to start work
- Please note that it is illegal to threaten or withhold payment of wages, even if the CLE does not like the work the SSP is doing.
- Employment should be terminated immediately if the SSP has:
    - Stolen from the participant
    - Abused the participant according to the definitions of abuse as stated previously.
    - Threatened to harm the participant
    - Broken confidentiality

Behavior that is against the law should be reported to the authorities **immediately**.

Notice of Privacy Practices

As the VF/EA, we are required by law to maintain the privacy of the participant's health information. We are also responsible for giving the participant information about the company's privacy practices and legal duties concerning health information.

Our Privacy Practices follow:

Purpose

To identify the criteria for determining when information held by PPL should be treated as Protected Health Information (PHI) so that PPL staff follow the requirements in the HIPAA Privacy Rule (45 CFR 164.508) and policies developed by PPL.

Procedure

As the VF/EA, PPL treats PHI as any information that relates to a program participant's health condition, identifies a program participant, or if the data can be used to determine the program participant.

Protected Health Information (PHI)

"Protected health information" is any health information maintained by PPL that is individually identifiable. Exceptions are:

a. employment records stored by PPL as an employer; and,
b. information regarding a person who has been deceased for more than fifty (50) years.

"Individually identifiable health information" means any health information, including demographic and genetic information, whether verbal or recorded in any form or medium, including demographic information collected from an individual, that:

1. Is created or received by a health care provider, health plan, employer, or health care clearinghouse; and
2. Relates to the past, present, or future physical or mental health or condition of a program participant; the provision of health care to a program participant; or the past, present, or future payment for the provision of health care to a program participant; and
3. Identifies the program participant or to concerning which there is a reasonable basis to believe the information can be used to identify the program participant